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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,567	03/30/1999	THOMAS FRANK BUMOL	0409020136	5988

25885 7590 10/10/2002

ELI LILLY AND COMPANY
PATENT DIVISION
P.O. BOX 6288
INDIANAPOLIS, IN 46206-6288

EXAMINER

BRANNOCK, MICHAEL T

ART UNIT

PAPER NUMBER

1646

DATE MAILED: 10/10/2002

28

Dec-11-10-02

Please find below and/or attached an Office communication concerning this application or proceeding.

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09280567			ATTORNEY DOCKET NO.

EXAMINER	
Michael Brannock	
ART UNIT	PAPER NUMBER
1646	28

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Due - 11-10-02

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

Applicant's response to the Office Action of 5/22/02 is noted, however, the reply filed on 10/1/02 is not fully responsive to the prior Office action because of the following matter(s): this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 as set forth previously. The specification makes reference to specific polynucleotide and polypeptide sequences; these references must contain a sequence identifier of the form: SEQ ID NO: X. Applicant has provided a substitute specification, however there are numerous problems associated with this submission. The proposed amendments have not been entered because they do not correspond to the substitute specification, e.g. there is no word "timer" at page 2, line 22. 37 CFR 1.125 requires: a statement that no new matter has been introduced, that the substitute specification be provided excluding the claims, that a marked up version of the specification be provided. Further, the Abstract is required to be on a separate sheet of paper, MPEP § 608.01(b). Additionally, there is no substitute Figure 2 as is asserted by Applicant.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply. ←

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Brannock, Ph.D., whose telephone number is (703) 306-5876. The examiner can normally be reached on Mondays through Fridays from 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler, Ph.D., can be reached at (703) 308-6564

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Michael T. Brannock
October 8, 2002

YVONNE EYLER, PH.D.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600